

10.01.2023

S/L. 17

Court No.12

Suvayan/

Sourav

CRA 6 of 1999

In the matter of: **Swapan Adak**

....Appellant.

Mr. Jayanta Kumar Das

Ms. Madhumanti Das

...for the appellant.

Ms. Z. N. Khan

Mr. Md. Kutubuddin

...for the State.

Heard learned Counsel for both the parties.

The affidavit filed by the appellant dated 06.01.2023 is taken on record. A report submitted by S.I. Subrata Biswas Officer-in-Charge, Sebang Police Station through Md. Kutubuddin, learned Counsel for the State along with release report of the appellant vide Annexure – ‘A’ to the report be also taken on record.

The appellant was sentenced to suffer R.I. for 9 years and to pay fine of Rs. 1,000/- in default to suffer S.I. for six months more for offence under Section 376 IPC in Sessions Trial No. XLIV/April/98 by the Court of Additional Sessions Judge, 2nd Court, Midnapore. The appellant having suffered his sentence had already been released on 04.01.2006 as found from the certificate issued by Superintendent, Midnapore Central Correctional Home attached as Annexure – ‘A’ to the affidavit.

Mr. Das, learned Counsel for the appellant submits that in view of such fact, the appellant does not want to proceed any more in the appeal and he wants to withdraw the appeal.

Having heard the learned Counsel for the appellant and learned Counsel for the State, we allow withdrawal of the appeal by the appellant.

Accordingly the appeal being CRA 6 of 1999 is dismissed as

withdrawn.

Let a copy of the order along with the L.C.R. be sent down to the Department.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)